

REMARKS

By the present amendment, the specification and Claims 1-4, 6-10 and 12 have been amended. Claims 1-12 remain pending in the application, with Claims 1, 4 and 8 being independent claims. The specification is objected to because of informalities. Claims 7-12 are objected to because of informalities. Claim 1 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Walker (U.S. Patent No. 5,054,064) in view of Iguchi (U.S. Patent Application Publication No. 2002/0169960 A1). Claim 2 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Walker in view of Iguchi and Choi (U.S. Patent Application Publication No. 2002/0194492 A1). Claim 3 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Walker in view of Iguchi, Choi and Lennon (U.S. Patent No. 4,193,131). Claim 4 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Walker in view of Choi. Claim 5 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Walker in view of Choi and Lennon. Claim 6 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Walker in view of Choi, Lennon and Yamamoto (U.S. Patent No. 6,307,940). Claim 7 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Walker in view of Choi and Iguchi. Claims 8 and 9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Walker in view of Kii (U.S. Patent Application Publication No. 2002/0099661 A1) and Choi. Claim 10 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Walker in view of Kii, Choi and Hirasawa (U.S. Patent Application Publication No. 2003/0061196 A1). Claim 11 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Walker in view of Kii, Choi, and Lennon. Claim 12 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Walker in view of Kii, Choi, Lennon, and Yamamoto.

The specification has been amended to overcome the objections to the specification, and Claim 12 has been amended to overcome the objection to Claim 12. The content server 22 is shown in FIG. 1 and does not need to be shown in FIG. 2.

Applicant respectfully disagrees with Examiner regarding the objections to Claims 7-12, and the requested changes have not been made. With respect to Claim 7, no antecedent basis exists for the "previously uploaded content" recited in Claim 7, line 2. This previously uploaded content differs from the encrypted content uploaded in Claim 4, line 3, because it was previously uploaded. Similarly, with respect to Claim 8, no antecedent basis exists for the "encrypting content" recited in Claim 8, line 9, and this content does not necessarily correspond to the content downloaded in the preamble of Claim 8. Similarly, with respect to Claim 10, no antecedent basis exists for the "encrypted content" recited in Claim 10, line 7, and this content does not necessarily correspond to the content downloaded in the preamble of Claim 8.

The present invention relates to a mobile communication terminal capable of downloading and uploading content while maintaining security for the content. Existing mobile terminals support only a one-way data communication technique where a mobile terminal can only download stored content into a computer through data communication.

Claims 1-4, 6-10 and 12 have been amended to change all occurrences of "mobile terminal" to --mobile communication terminal--. Claims 1, 4 and 8 have also been amended so each recite, in part, a mobile communication terminal for providing mobile communication functions, Claims 1 and 4 have also been amended so each recite, in part, uploading the encrypted content from the mobile communication terminal to the external device, and Claim 8 has been amended to recite, in part, transmitting the content encrypted by the encryption key from the mobile communication terminal to the external memory device.

Regarding Claim 1, the Examiner concedes that Walker does not disclose a communication unit recited therein. The Examiner states that Iguchi suggests this deficiency in paragraphs 41 and 60, and asserts that it would have been obvious to modify Walker to include the use of an interface, as allegedly shown in Iguchi.

Walker describes a video control system 10 for recorded programs. The video system 10 of Walker includes a central facility 11 and a terminal 12, as shown in FIG. 1. Terminal 12 can

only receive a video program from the central facility 11 and can only send terminal identification data to the central facility 11. The terminal 12 of Walker is unable to perform communications functions and, while able to send terminal identification content, is unable to upload program content.

Iguchi describes a storage device including a non-volatile memory. The Examiner relies on the host interface 122 of Iguchi, described in paragraphs 41 and 60, to satisfying the interface recited in Claim 1. While initially not conceding such a modification would be obvious, even modifying Walker with the host interface 122 of Iguchi would fail to satisfy the recitations in Claim 1 because Walker, Iguchi, or any combination thereof, would fail provide a mobile communication terminal for providing mobile communication functions, and would fail to provide uploading encrypted content from the mobile communication terminal to the external device.

Regarding Claim 4, the Examiner concedes that Walker does not disclose generating the encryption key based on model information and a serial number of the mobile terminal, as recited therein. The Examiner states that Choi suggests this deficiency in paragraphs 77 and 78, and asserts that it would have been obvious to modify Walker to include the use of an encryption key generated based on model information and serial number, as allegedly shown in Choi.

Choi describes a method of protecting and managing digital contents and a system for using thereof. Choi fails to supplement the deficiencies of Walker described above because Choi merely describes a contents consumer 40 that can only receive content from a contents provider 20, as shown in FIG. 1. Choi nowhere teaches or reasonably suggests uploading content from the contents consumer 40.

Regarding Claim 8, the Examiner concedes that Walker does not disclose generating the encryption key based on model information and a serial number of the mobile terminal, as recited therein. The Examiner states that Choi suggests this deficiency in paragraphs 77 and 78, and asserts that it would have been obvious to modify Walker to include the use of an encryption key

generated based on model information and serial number, as allegedly shown in Choi. The Examiner also concedes that Walker and Choi do not disclose transmitting a content upload request signal to the external memory. The Examiner states that Kii discloses this deficiency, and asserts that it would have been obvious to modify Walker to include the use of a content upload request signal, as allegedly shown in Kii.

As described above, Choi fails to supplement the deficiencies of Walker described above because Choi merely describes a contents consumer 40 that can only receive content from a contents provider 20, as shown in FIG. 1. Choi nowhere teaches or reasonably suggests uploading content from the contents consumer 40.

Kii describes a service offering system which includes a recording element for recording a unique identifier to each of a plurality of storage media issued, a database for storing and managing the identifiers, a reading element for reading the recorded identifier from any of the storage media, a checking element for checking the identifier read by the reading element against the identifiers managed in the database and a service offering element for offering a service to the storage medium identified by the checked identifier depending on a result of the check by the checking element.

In paragraphs 458-477, Kii describes upload processes. In particular, in paragraph 459, Kii describes uploading, by a user terminal, content data to a particular website by way of a service provider 504. That is to say, Kii merely suggests uploading the content data to the website operated by the service provider.

Kii fails to supplement the deficiencies of Walker described above because Kii merely suggests uploading the content data to the website operated by the service provider. In contrast, the present invention uses security in view of an object.

Accordingly, amended Claims 1, 4 and 8 are allowable over Walker, Iguchi, Choi, Kii, or any combination thereof.

While not conceding the patentability of the dependent claims, *per se*, Claims 2, 5-7 and 9-12 are also allowable for at least the above reasons.

Accordingly, all of the claims pending in the Application, namely, Claims 1-12, are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over a horizontal line.

Paul J. Farrell
Reg. No. 33,494
Attorney for Applicants

THE FARRELL LAW FIRM
333 Earle Ovington Blvd., Suite 701
Uniondale, New York 11553
Tel: (516) 228-3565
Fax: (516) 228-8475

PJF/TCS/dr